

VU Research Portal

Migration brokerage, illegality, and the state: The case of two NGOs in Anglophone Cameroon

Alpes, M.J.

2013

[Link to publication in VU Research Portal](#)

citation for published version (APA)

Alpes, M. J. (2013). *Migration brokerage, illegality, and the state: The case of two NGOs in Anglophone Cameroon*. (DIIS Working Paper Series; No. 7). Danish Institute for International Studies.
<http://en.diis.dk/home/news/2013/migration+brokerage,+illegality+and+the+state>

General rights

Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

- Users may download and print one copy of any publication from the public portal for the purpose of private study or research.
- You may not further distribute the material or use it for any profit-making activity or commercial gain
- You may freely distribute the URL identifying the publication in the public portal ?

Take down policy

If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.

E-mail address:

vuresearchportal.ub@vu.nl



**Migration brokerage, illegality,
and the state in Anglophone Cameroon**

Maybritt Jill Alpes

DIIS Working Paper 2013:07

MAYBRITT JILL ALPES

Post-doctoral researcher, Free University Amsterdam
m.j.alpes@vu.nl

DIIS Working Papers make available DIIS researchers' and DIIS project partners' work in progress towards proper publishing. They may include important documentation which is not necessarily published elsewhere. DIIS Working Papers are published under the responsibility of the author alone. DIIS Working Papers should not be quoted without the express permission of the author.

DIIS WORKING PAPER 2013:07

© The authors and DIIS, Copenhagen 2013

Danish Institute for International Studies, DIIS
Østbanegade 117, 2100 Copenhagen, Denmark
Ph: +45 32 69 87 87
Fax: +45 32 69 87 00
E-mail: diis@diis.dk
Web: www.diis.dk

Cover Design: Carsten Schiøler
Layout: Ellen-Marie Bentsen
Printed in Denmark by Vesterkopi AS

ISBN: 978-87-7605-554-7 (print)
ISBN: 978-87-7605-556-1 (pdf)

Price: DKK 25.00 (VAT included)
DIIS publications can be downloaded
free of charge from www.diis.dk

CONTENTS

Abstract	4
Migration brokerage, illegality, and the state: the case of two NGOs in Anglophone Cameroon	5
Migration brokerage and the law	7
To follow doki: the powers of travel documents	9
Offices, departments, and ambassadors: the workings of two migration brokers	12
Conclusion	14
Bibliography	16

ABSTRACT

Migration brokers are important participants within the increasingly commercialized policing of borders. Focusing on connections between migration brokers and state authorities, this paper asks how migration brokers relate to the realm of the law, as well as how the law relates to migration brokerage. By examining illegality only when it becomes visible to aspiring migrants and brokers within their context of departure, this paper demonstrates how state regulation is intimately intertwined with the emergence of migration brokerage. The argument of the paper provides a counter-point to studies of migration and illegality that often adopt an implicitly statist perspective by categorising brokers as either legal or illegal, as well as by framing brokers as agents that work 'against' the state. The paper is based on fourteen months of ethnographic fieldwork in Anglophone Cameroon between 2007 and 2010 and illuminates the work of two NGOs that engage in so-called 'travel consultations'. It contributes to on-going discussions within the 'Migration Industry and Markets for Migration Control Network'.

MIGRATION BROKERAGE, ILLEGALITY, AND THE STATE: THE CASE OF TWO NGOS IN ANGLOPHONE CAMEROON¹

The posters of INACOD advertised ‘travel consultations’. INACOD stands for ‘International Assistance for Community Development.’ As an NGO, INACOD offered the following services: ‘admission and scholarships into foreign universities’, ‘foreign jobs’, ‘students’ orientation and career counselling’, ‘information about opportunities’ and ‘travelling assistance’. Mr. James, who ran the office of INACOD, explained that his work catered for needs in “development and education.” He sent people “out” for study programmes as well as for work placements. In addition, he applied for international grants for development projects and offered “career advice” at schools. This career advice consisted of giving out information about some professional training schools in Cameroon with which he had formed partnerships, as well as about his own services of being able to make people travel internationally.

In September 2007, Mr. James regularly disseminated advice on travelling and advertisements for his organisation over the radio. In these radio shows, Mr. James presented himself as an expert on travelling and as one who could offer protection from the dangers of duping. He framed his work as “community work” by pointing out that travelling, studying, and job placements abroad are all beneficial for young people in Cameroon. In his discourse, Mr. James connected travelling to

both development and his ambition to “make globalisation a reality”.

Furthermore, Mr. James positioned himself as contributing to a fight against so-called “illegal migration”. On Labour Day on the 1st of May, the staff of INACOD participated in a demonstration carrying signs with the INACOD emblem reading ‘stop clandestine migration’. An explicit stance against clandestine migration on the part of a migration broker in Cameroon is quite exceptional. Many brokers did not consider it necessary to foreground the legality of their work, and neither were they defensive about not working within the illegal sphere. Questions of illegality were hardly ever discussed between aspiring migrants and migration brokers. During my research in Cameroon, only one broker explicitly positioned himself as not being a trafficker or a smuggler. He had himself lived for a few years without papers in Europe and was amongst all brokers the most accustomed to circulating discourses about “illegal migration” in countries of arrival. At one level, the signboards against clandestine migration are simply advertisements granting further legitimacy to Mr. James’ work. While the advertisement of Mr. James should not be taken at face value, it does require serious analysis to understand why such claims and self-portrayals can fall on fertile ground in a society of departure.

The second NGO of this paper is called AALC which stands for ‘Africa Asia Learning Connection’. When Mr. Walter, the director of AALC, was deported back to Cameroon by Chinese state authorities during one of his many trips, I was struck to find that most of his clients did not even notice that he had been deported. After his deportation, Mr. Walter continued to operate and make other people leave the country. Visas continued to appear on the passports of his applicants. As for his own capacity to travel, he planned to purchase a Ghanaian passport and continue his journeys

¹ None of this work would have been possible without the inestimable and precious input of Christina Atekhangoh (Graduate Institute Geneva). I also wish to thank Ninna Nyberg Sørensen for her highly valuable comments on the previous drafts of this working paper

as a Ghanaian. The credibility of migration brokers is not necessarily at danger even when they are directly and personally confronted with an event in which their own travel documents are classified as illegal.

The case of Mr. Walter suggests that there are limits to the role of the law for the rise and fall of migration brokers. Public discourses in Europe easily and readily connect third-party mediated forms of migration with smuggling, trafficking and illegality. In Cameroon, however, most brokers advertised and practiced their work publicly and openly. In most cases, aspiring migrants would not question the quality of their travel documents on the basis of these being issued by a migration broker. In this paper, I will show that the supposed opposition between migration brokerage and the state (as marked out by the human smuggling paradigm) is problematic. The two case studies of this paper will illustrate how migration brokers are in different ways intertwined with instances of stateness both in Cameroon and in receiving states. By instances of stateness I refer to an ensemble of state actors and state institutions, as well as its regulatory instruments (such as papers) and normative frameworks (such as legality). I use the term stateness because I want to include modalities of power and representational discourses that draw on the state as a set of institutions, as well as a discursive construction (Mitchell 2006: 177-182; Gupta 2006: 212-213).

States have increasingly privatised parts of the domain of migration control (Gammeltoft-Hansen and Nyberg Sørensen 2012). As a consequence, a series of new actors are legitimated and authorised by state authorities to participate in the attribution of travel documents and carry out controls at border points. The pluralisation of border authorities is a process that is not exclusively engendered by explicit state policy. Indirectly migration policies have created a situation in which aspiring

migrants often cannot realize their aspirations to migrate. In the face of ever greater degrees of involuntary immobility (Carling 2002), a demand for services of migration brokers has emerged in emigration countries. Given that the consulates of Northern states to a large extent no longer are likely or reliable sources of visas for aspiring migrants in Southern countries, migration brokers have emerged to fill the gap.

This working paper is based on 13 months of ethnographic fieldwork between 2007 and 2009, as well as a series of follow up interviews in 2010. During the fieldwork period, I was mainly based in the provincial capital and university town of Buea. The paper predominantly draws on research material from two migration brokers, called Mr. James and Mr. Walter. Because of the status that is implied in being able to send people out of the country, my two key informants were generally proud to let me observe the daily workings of their respective offices.² The presence of a 'white' person with European citizenship at their offices was a welcome further increase in their status and appearance in society.³

The main working hypothesis is that market and state forms of border policing both condition and feed into each other. First, I ask how aspiring migrants conceive and evaluate the travel documents that migration brokers

2 Large parts of the work of Mr. James and Mr. Walter occurred outside of their offices. The research tried as much as possible to follow the brokers on visits to clients, trips to the airport, and meetings with travel agents. Yet, the main focus of the research remained the respective personalities of the two key informants. Thus, the research was not able to illuminate the entire chain and networks through which the brokers conducted their work.

3 I also worked with some other migration brokers. Those brokers who were less institutionally established than the offices of Mr. Walter and Mr. James were more reluctant to let me follow their work.

issue. I put forward that migration brokerage must be seen in relation to what it means for aspiring migrants to acquire and use papers within the context of the Cameroonian state. Secondly, the paper asks how persons like Mr. James and Mr. Walter were able to emerge to the position of migration brokers. The paper explains the personal connections between migration brokers and state actors, as well as their functions, structures, and cultural repertoires. I conclude with a call for empirical studies of the place and role of migration law within migration dynamics.

MIGRATION BROKERAGE AND THE LAW

Both in academia and in policy, the work of migration brokers has most commonly been approached through the frameworks of smuggling and trafficking. Both frameworks are closely intertwined with legal definitions that came out of the associated Protocols of the Convention against Transnational Organised Crime (also known as the Palermo Protocols). Within the Palermo Protocols, the distinction between the definitions of smuggling and trafficking is that smugglers violate state borders (Gallagher 2002: 25-27; van Liempt 2006: 27-28), while traffickers violate the security of the migrants (Wong 2005: 80-82).⁴ Both discursive frameworks criminalise the broker. In the case of human trafficking, the broker is theoretically criminalised for the human rights

violations of the respective migrants. In the case of human smuggling, the legal convention explicitly frames migration brokers as working in opposition to the state. In practice, policies against human trafficking and smuggling merge with initiatives against so-called 'illegal migration'.

In the efforts to regulate migration, states distinguish between what according to their own laws is classified as either legal and illegal migration. In line with the perspective of states, the migration trajectories that come out of brokerage transactions are commonly characterised by both scholars and policy makers as either smuggling or trafficking, legal or illegal, regular or irregular, formal or informal (for example Triandafyllidou and Maroukis 2012). Even if brokers are not directly classified as traffickers or smugglers, the issue of illegality is high on the agenda within discussions of brokered migration trajectories.

Even when used in highly critical manners, distinctions between legal and illegal brokers always imply an implicit statist standpoint. Social sciences have often taken the nation state as the starting point and implicit perspective from which the effects and dynamics of migration are analysed (De Genova 2002: 421; Abraham and van Schendel 2005; McKeown 2012; Wimmer and Glick Schiller 2002). Statist approaches analyse brokerage through categories and terminology of the state.⁵ Aspiring migrants, however, do not distinguish between brokers in terms of their relationship to the law (Spener 2009). In Anglophone Cameroon, for example, aspiring migrants establish degrees of trustworthiness according to the intentions and capacities of respective brokers (Alpes

4 For a historical and sociological discussion of how this legal definition came into being, see Ditmore and Wijers 2003, as well as Ditmore 2005. Distinctions between smuggling and trafficking, as well as the inherent assumptions within both definitions are problematic in many ways. For closer analysis, see Anderson 2007; Andrijasevic 2010; and Kapur 2005.

5 For a critique of the usage of statist categories within social science research in migration, see also Malkki (1995) and Anderson (2007).

forthcoming). To distinguish between smugglers and traffickers, or between legal and illegal brokers is thus to impose a viewpoint that is relevant to the state's ambitions of regulating migration, but not to migrants themselves.

Because of the predominance of a statist perspective, what has been lacking within debates on brokerage have been empirical insights into how migrants themselves view their actions (Kyle and Siracusa 2005: 155). New research that analyses migration brokers from the perspective of actual as well as aspiring migrants is opening up promising avenues for our understanding of brokerage practices in migration (Spener 2009; Lucht 2012; Lindquist et al. 2012). Based on ethnographic specificity, these pieces of research give insights into local power dynamics between brokers and aspiring migrants, illustrating how closely aspiring migrants are personally connected with brokers, as well as how well-respected brokers are within their respective home communities.

The focus of ethnographic broker studies has remained on relations between brokers and migrants and less on the place and role of brokers within the wider organisational logics of migration. While it is important for an understanding of brokerage work to shift away from "seeing like the state" (Scott 1998), it nonetheless remains crucial to see the state by means of recognizing its important role in creating basic structural conditions within and through which brokers, migrants, and family members move. I suggest that this is possible by paying attention to three elements: first of all by uncovering theoretical assumptions about connections between legality and legitimacy; secondly, by empirically analysing (rather than presupposing) the reach, place and relevance of the law within conditions of departure; and thirdly, brokers need to be studied in relation to other regulatory authorities, such as the state and the family. I will discuss each element in turn.

First, insights from political anthropology can keep migration scholars from presupposing that informality implies illegality and formality legality (Hibou 1999). Because of the state's success in monopolising the legitimate means of mobility control (Torpey 2002), statist classifications of legality have come to stand for distinctions of different degrees of legitimacy. Unless explicitly positioned within the field of socio-legal studies (for example Chauvin and Mascarenas 2012), much academic work on migration control is characterised by a legal consciousness (Silbey 2005; Fleury-Steiner and Nielsen 2006) that takes legality as the main marker of legitimacy. De facto, however, the state is only one of many regulatory authorities that compete for the shaping and making of migration trajectories (Alpes 2011).

Secondly, if committed to shifting away from a statist analysis of migration, the respective realness or fakeness of travel documents only needs to be analysed if and when being of relevance to the actors in question. The reach and relevance of the law cannot be taken for granted, but needs to be subject to empirical analysis. Public and academic debates often simply assume that processes of illegalisation within countries of arrival predetermine the actions of aspiring migrants, as well as the scope of actions of migration brokers at points of departure. State distinctions between legal and illegal brokers become relevant when they have an effect on actors that try to move. I do not take illegality as a conceptual tool of analysis, but suggest including illegality into the analysis only when it emerges as an empirical reality of relevance to people under study. Instead of prejudging people, activities, or objects according to future classifications by state actors as either 'legal' or 'illegal', I suggest empirically enquiring into how illegality does or does not figure within a place of departure.

Thirdly, I suggest broadening our vision of regulatory authorities within migration control

and to consider migration brokers as one of many actors within the governance of borders. Migration brokers sell services that enable people to travel in the face of state-enforced immobility. As such, they de facto function as border authorities. Even if migration brokers are not recognised by state authorities, they do engage in acts that contribute towards the governance of border spaces. It is therefore important to consider both state officials and migration brokers as regulatory authorities that shape the context in which aspiring migrants and migrants move. To theorize from the vantage point of a plurality of regulatory authorities allows for analysing migration trajectories in a way that is not state-centric, but instead grounded in the perspective of people who try to move.

By placing migration brokers within a broader field of actors engaged in the policing of borders, I draw on insights within political anthropology on processes of state formation (Mitchell 2006; Gupta 2006; Ferguson 2006) as well as on the regulation of cross-border trade (Roitman 2005; Chalfin 2010). By moving away from a statist perspective that 'sees like the state' to a migrant perspective that actually sees the state, new insights open up into personal, institutional, and symbolic connections between brokerage and instances of stateness. Brokers connect and overlap personally, symbolically, and institutionally with instances of stateness.

An ethnographic approach to cross-border trade and migration can reveal unexpected connections between illegality and brokerage. By paying attention to the three above-described elements, overlaps between different regulatory authorities can be analysed also for their productive spin-off effects. In the case of cross-border movements in the Chad basin, for example, Roitman has pointed out how smuggling and banditry create wealth that is channelled to instances of stateness both

through tax and through personalised transfers that complement the salaries of state officials (Roitman 2005: 151-198).⁶ Within a statist perspective, as well as within a perspective that only focuses on the subjectivities of migrants and brokers, productive overlaps between different regulatory authorities will remain invisible to the analyst.

TO FOLLOW DOKI: THE POWERS OF TRAVEL DOCUMENTS

Since the late 1990s, migration brokers have become important actors for aspiring migrants in Anglophone Cameroon. Owing to the status that currently comes with transcontinental mobility, migration brokers have acquired the position of public authorities. Always dressed in a suit, Mr. James liked to talk of himself as "director". Initially, he had five staff members in his office in Buea. In 2008 he opened another office in Bamenda with another seven staff members as well as further contact points and potential new offices in four further cities in Cameroon. He employed 26 people and according to his records had sent out 40-55 people from his office in Buea within the year of 2008 alone.

The credibility of migration brokers as legitimate sources of travel documentation needs to be related to forms of regulation and paper production in the Cameroonian context of stateness. After having passed his A-level exam in evening school, Mr. James was able

⁶ The wealth that is created in cross-border smuggling is also used to pay state taxes, as well as to directly complement the salaries of state officials. For military personnel and customs officials, rent on fraudulent commerce can be more important than official salaries. In part, cross-border traders manage to pay their taxes through banditry (Roitman 2004).

to find work with the German development agency GTZ – which was the beginning of his ascension to the status of a ‘big man’. While working for the GTZ, Mr. James began doing minor paperwork for people who wanted to travel abroad. These forms of paper production could be anything from helping people to fill in forms – e.g. visa or university applications – to establishing other connections or actually manufacturing papers. Because of his connections to an international development agency, Mr. James had learned about the bureaucratic norms necessary for visa applications at consulates. After a few years, Mr. James decided to open up his own NGO.

In Anglophone Cameroon, “to follow doki” – Pidgin for following up on paper work – has come to stand largely for preparing and trying to travel out. As papers hold strong powers over possibilities of mobility, wanting to go out has become synonymous with doing paper work. To apply for a visa, many papers are needed, such as for example bank statements, reference letters for internships or certificates to document work experience. Not all of these forms of documentation are automatically issued in everyday life in Cameroon. Many types of employment occur without written work contracts. Consequently, many forms of documentation have to be obtained and produced specifically for an international travel project.

In Pidgin, the word ‘doki’ can refer to all forms of papers, regardless of the type of mediators that were involved within the production process – or not. Within the Cameroonian state, different forms of mediation have emerged (Bayart 1979). In West Africa, state institutions and their services are often only accessible through additional brokers or service providers, such as ‘touts’ (Smith 2007: 60). Similar to the cases of other countries on the African continent (Hornberger 2009: 90; Blundo 2006: 809; Lund 2007), people’s strategies in Cameroon for approaching state

institutions are often to try and personalise relations or, in the absence of this possibility, to pass through a mediator. Intermediaries can be independent businessmen, bureaucrats or extended family members. In the Cameroonian context, to attain papers through mediators is so much part of everyday experiences that aspiring migrants do not put into question the quality or legitimacy of the attained paper. Instead, intermediaries also offer valuable services in the face of a corrupt and highly personalized bureaucracy (Smith 2007: 60). If access to services of the Cameroonian state requires professional mediation, then access to visas certainly does.

As a migration broker, Mr. James was involved in the production of a great variety of different types of travel documents. Because Dubai does not have an Embassy in Cameroon, Mr. James mediated between his clients and authorities in Dubai. The Dubai programme cost 1.8 million CFA (roughly 2,700 EUR) and included a (one-way) flight, pick-up from the airport, the visa, a few days’ accommodation, and supposed assistance with the job hunt. The employees of INACOD explained that they were dealing directly with the ministry of foreign affairs in Dubai, which had commissioned an agency to handle visas. INACOD scanned the passports of its clients and sent these to the handling agency in Dubai. The visa was then sent to INACOD in the form of a letter. Instead of a stamp or sticker within the passport of the respective traveller, this simple piece of paper constituted the permit to travel and allowed for entry into Dubai territory upon arrival at the airport. In addition, Mr. James for a while also had established deals with companies in Dubai to recruit welders, mechanic drivers and nurses from Cameroon. These companies pay for the visas and flight tickets of their future employees. The programmes for the welders cost 1.3 million (roughly 2,000 EUR) and included a work contract for three years.

Another important field of work for INACOD lay in the facilitation of university studies abroad. Here, Mr. James focused on advertising American and British Universities that had off-site campuses in Dubai or other countries for which a visa could be acquired more easily than in the USA and Great Britain. Following the strong demand for migration programmes for Europe or North America, Mr. James finally also regularly tried to send out people through tourist visas secured through the help of other mediators both in Cameroon and in Europe. He even welcomed clients who wished to merely receive a Cameroonian passport.

Not only did the types of papers Mr. James gave to his clients vary, the processes through which he acquired, produced, and got hold of these papers differed greatly, too. As a broker, one could argue that Mr. James engaged in the production of – what would be qualified by state agents as – both “legal” and “illegal” travel documents. A great part of his persuasive powers as a broker stemmed precisely from being capable of playing between different registers. If clients were returned from Europe or Northern America, he was mostly able to redirect these people to Dubai. Many of the flights of INACOD clients would pass through a transit airport in Dubai before connecting onwards to an airport in Europe. In the case his clients were denied entry upon arrival in Europe, this meant that Mr. James could instruct his clients on their way back to Cameroon to stay on in Dubai where he had connection men at the airport. In the eyes of the public in Cameroon, his clients would have still left Cameroon.

The question of whether a travel document is fake or real can also be indeterminable. As an emic term, the word *doki* in Anglophone Cameroon can point us towards the volatility of legal processes of paper production. A closer look at the production of documents as material artefacts and their inclusion into bodies of official knowledge unravels the potential

fake “quality inherent to all papers and forms of documentation” (Navaro-Yashin 2007: 94). Legal processes of paper production are volatile in that the inclusion of papers into bodies of legal documents always also includes moments of interpretation. This holds true for processes of legalisation and documentation within the European context too (Chauvin and Mascarenas 2012).

Statist distinctions between legal and illegal can furthermore even be irrelevant. A so-called ‘fake’ travel permit can still ‘work’ and allow the holder of the permit to cross a border point.⁷ During my observations of interactions between aspiring migrants and Mr. James, I was often struck by the absence of any kind of substantial discussion about the origins and nature of the travel documents that would be necessary for the agreed travel projects. Aspiring migrants evaluated brokered travel permits not in terms of their potential future classification as legal or illegal but according to their efficiency at border crossings. From the perspective of departure, what matters is the capacity and power of papers to secure the mobility of people. As an informant put it:

I will respect both of them because they have the power to get the visa. They have the power to make you have the visa in your passports. I don't know what they do or what it takes, but [...] the important thing is that you are in Europe and it's because of [them].

⁷ The reverse can equally be true. The Canadian consulate section in Paris did not accept as genuine an attestation in which I certified my research assistant that she had been working for me in Cameroon. The attestation was judged dubious because it did not contain enough ‘securities’. While her work relationship might be categorised by certain state actors as ‘informal’, her work was certainly not illegal.

The production of travel documents is considered a question of ‘power’ rather than a question of legality precisely because access paths to legal migration are available only to the smallest section of the population.

While states might stress the symbolic value of travel documents and pieces of identification, individuals might have much more pragmatic relations with forms of paper documentation (Bakewell 2007). Visas are not only symbolic icons of legal migration but also material artefacts that in most cases allow individuals to move across a border checkpoint. As pointed out in the introduction, aspiring migrants do not necessarily associate migration brokers with so-called ‘illegal migration’.⁸ The fees that aspiring migrants pay to migration brokers are instead expected to allow them to travel out of Cameroon with travel documents. Migration brokers are agencies that have the know-how or the types of connections to produce forms of paper that in many cases enable aspiring migrants to cross borders at both the Cameroonian airport as well as the airport in the respective country of arrival.

OFFICES, DEPARTMENTS, AND AMBASSADORS: THE WORKINGS OF TWO MIGRATION BROKERS

Migration brokers in Cameroon are perceived as one type among many other actors but not necessarily as actors that work against or are different from the state. When Mr. Walter was deported, local observers were surprised that it was possible for Mr. Walter to even be deport-

ed in the first place. “A man who can send people (children) abroad, they can still send him back?” They were surprised that states should have the power to deport a migration broker – which implies that they considered brokers as one with other officials. I will explore in this section how migration brokerage offices like INACOD and AALC are intertwined with the activities, functions, and cultural repertoires of both sending and receiving states.

Work in migration brokerage constitutes a livelihood strategy in a context where formal employment (amongst others within the state sector) is not always sufficient to maintain a family household. To operate as a migration broker enabled Mr. Walter to generate a better income for himself than merely working as a state employee. He first worked for a few years as a mathematics teacher before he turned to the more lucrative business of migration brokerage. The financial status of a teacher in Cameroon is modest and salaries of civil servants are often paid on an irregular basis. It is in this context that Mr. Walter tried to migrate, but the British Embassy refused him. The Chinese Embassy was less stringent and he set off to establish trading activities between China and Cameroon. From there, it was but a small step to offer his insights of life abroad to also help others – against a fee – to come to China.

Migration broker offices are mostly regulated by the Cameroonian state in the form of NGOs in the field of development, but not formally as businesses or travel agencies. When Mr. Walter started his brokerage work he registered his office as an NGO. To register his business as an NGO allowed him to escape the harsh and often arbitrary taxation regime of the Cameroonian state. Because taxation in Cameroon is unpredictable and often harsh, many businessmen can only survive if they have connections with state officials. Harsh and arbitrary taxation can cause businessmen to turn to migration brokerage, too. A broker

8 So as to avoid the essentialisation of people’s conceptions of papers (Kohlhagen 2006), it is important to study the social and legal context in which individuals are lead (or not) to attach symbolic attributes to travel documents beyond the one of their mere practical function.

called Mr. Ekkas explained to me that he took to working in migration brokerage because he feared every year for the survival of his company that traded and sold electronic equipment. "I'm doing anything because I'm obliged to meet up with government taxes."

Laws of the Cameroonian state itself might not be violated even if brokers within its jurisdiction produce papers that may result in what is characterized as illegal migration. Mr. Walter told me repeatedly that he considered himself safe with respect to state authorities in Cameroon. Through listening to his phone conversations, I knew that Mr. Walter was also sending out the children of military personnel he knew from his days in Yaoundé. He had enough good connections to be able "not to get into trouble" if ever he were put on trial in court for the case of a particular client. Sometimes in his narrations he talked to me about having come back from a court. His narratives were always one of victory. When telling me about having had to go to court, he praised either the power of his rhetoric or the strength of his connections that had ended the trial.

Mr. Walter was able to conduct much of his work because he was a graduate of an elitist school attended by students that later become state officials. Many former classmates of Mr. Walters were among the political elite of the country or within the military. Even while at school, his dynamic personality helped him mediate positions with bureaucrats and political figureheads for his fellow graduates. As mediation is deeply built into the functioning of the Cameroonian state system (Bayart et al. 1999; Bayart 2009), mediation is crucial for graduates to find employment as civil servants.

Migration brokers base their capacity and legitimacy on emulations of forms of state-ness, as well as on portrayals of international connections. Mr. Walter often walked around with several Cameroonian passports of his clients in his blazer jacket. He liked to take out

these passports to show the visas inside. Both Mr. Walter and Mr. James referred to aspiring migrants as applicants. When aspiring migrants came to the offices of INACOD and AALC, they had to pay a fee to open a file for their registration. While I have never seen Mr. James work on his laptop, he always received his clients sitting beside his computer. His clients respected this official air of his function, as well as his international reputation. To walk into the office of Mr. James, one also had to pass a Swiss Air poster onto which an INACOD poster had been inserted. The Swiss Air and the INACOD posters were joined in such a manner as to create the impression that the two were official 'partners'.

Mr. James skilfully built up his authority through a combination of what might be termed old and new types of authority (Daloze 2002: 278). Although deeply sceptical of the capacities of Mr. James, a client of his, Pamela, still referred to him in terms of official terminology. "Your job is not just for Cameroonians, for individuals. You're like an Ambassador for Cameroon." In their interactions, Pamela also referred to Mr. James as "chief." By calling Mr. James a chief, Pamela confirmed his authority, but also his social role and responsibility.⁹ In his village of origin in the North West province Mr. James was nominated national youth director. In this function he organized football tournaments donated with prizes. He also proudly told me how he was intending to make connections between those in the village and migrants from his village of origin in the North West Province.

Brokers can be credible because they are perceived as authority figures that not only mirror

⁹ While ambassadors are representatives of state authority, ambassadors in the Anglophone Cameroonian context can also refer to the representation of villages or home communities in other regions in Cameroon.

cultural repertoires of stateness, but also function in similar ways. Mr. James and Mr. Walter produced and issued forms of documentation that allowed people to travel. In discussing the difficulties and risks of migration, Pamela's father told me that this was precisely why he went to "this new department", referring to the office of INACOD. Concerning the necessary papers for travelling out, he assured me that Pamela already had a passport. "Yes, it is difficult to have a visa, but this department ... office here can help." Pamela's parents chose to trust "this new department" set up by Mr. James. The word "department" references a public authority and often is used in relation to state institutions. It is as if, for Pamela's father, the manager of INACOD and the people at the embassy were part of the same official world.

In the way in which Mr. James ran his NGO – which equally functioned as a travel agency and as an educational institution – we see a creative mix of relational dynamics to state authorities in Cameroon and abroad. Next to his travel programmes, Mr. James had also set up what he called "educational guidance and career advice". Throughout 2007 and 2008, he managed to enter into more official partnerships with educational institutions and authorities, such as various secondary schools, professional training schools, and the educational secretaries of various churches. The official partnership agreements were formalised on paper stating that INACOD staff would provide career counselling and educational orientation at secondary schools as well as help professional schools to recruit new students from the former. Finally, Mr. James took up contact with the National Employment Fund in Cameroon. Mr. James informed me shortly after the opening of the Dubai programmes for welders and nurses that the National Employment Fund would be paying half of the salary

of the staff of his offices. With this step, he had come a long way towards his ambitions.

Where the government and state institutions lacked the authority to assist the community and bring along development, brokers fill the gap and respond to the needs of the market. Mr. James considered his real colleagues to be the educational secretaries of churches and people within the ministries. He would have been offended had I dared to compare him with people that merely reproduce and sell travel documents. From the perspective of people in places of departure, brokers and official actors might share more cultural and symbolic repertoires than legal classifications allow for.

CONCLUSION

This working paper has posed both an empirical and a theoretical question. On an empirical level the discussion of brokers, such as Mr. James and Mr. Walter, indicates the importance of considering migration control from a non-statist perspective. Migration brokers can be credible with their claim to fight clandestine migration because the meaning and role of travel documents, brokerage, and legality all need to be analysed in relation to the experiences of aspiring migrants within their context of departure. Mr. James, for example, has arranged for the employees of his agency to carry signboards that read "stop clandestine migration" because he does not consider his work in terms of illegality. The meaning of illegal migration is limited to overland migration where people cross borders *without* travel documents. Instead the clients sent out by migration brokers are all equipped with documents and in many cases these documents pass the test of state controls.

On a theoretical level, the working paper has explored how market-mediated forms of migration relate to the realm of the state and

of the law. By tracing a detailed picture of the workings of two migration broker offices in Anglophone Cameroon, this working paper has sought to understand brokerage networks not as external to state power but rather as integral to new forms of governance and governmentalities (Lindquist et al. 2012: 13). First of all, the paper argues that a close understanding of how people access the state within their places of departure can open up new understandings of how the travel document of migration brokers come to be evaluated by aspiring migrants. Aspiring migrants evaluate migration brokers less in relation to locations of paper production and more in terms of the efficiency of travel documents. Consequently, migration brokerage needs to be analysed within a broader context of brokerage practices and cultures of stateness in places of origin.

Secondly, this working paper puts forward that migration brokers can be intertwined with instances of stateness on different levels and manners, i.e. symbolically, personally, and even institutionally. Migration brokers can be credible as sources of travel documents because they draw on cultural repertoires of the state and at times are institutionally and/or personally connected to instances of stateness. Besides these resemblances and connections, migration brokers have also started to fulfil state-like functions. In the context of the commercialisation of border policing, brokers deliver travel documents that in many cases enable aspiring migrants to achieve their ambitions of mobility.

In a quest for a better understanding of state and market forms of border policing, it is important to not only study how migration brokers relate to the law, but also how the law relates to the practice of migration brokerage. Border spaces are regulated by state actors and state-sanctioned private actors, but also by semi-institutional forms of brokerage that respond to a demand for migration services within places of departure. Migration brokers are

able to sell services to aspiring migrants because migration law has created a demand for migration services. In creating the market for brokers, state regulation is intimately intertwined with the emergence of migration brokerage.

Migration brokerage needs to be studied through an analytical lens that recognises the state as an important regulatory authority, but stays clear of a statist perspective. Research on the governance of migration is highly diffused with the political agendas of states within the global North. This has led to the dominance of very state-driven approaches towards the study of migration control. On the other hand, states through their (migration) laws and policy discourses create important conditions of possibility for brokers and migrants alike. Statist discourses on and approaches towards migration do in and by themselves create realities for brokers and migrants that deserve scholarly attention. To turn away from "seeing like the state" (Scott 1998) is not the same as no longer studying the effects of state laws for the organisational logics of migration.

By working towards an analysis that theorises connections between brokerage and illegality in a less statist manner, scholars need to take alternative normative markers of legitimacy and illegitimacy into account. This stance would imply turning away from assumptions about the all-pervasiveness and powers of law. De Genova (2002) has moved forward scholarship on migration calling for studies of how legality and illegality are separate processes of historical and political constructions, prior to an analysis of how these terms are used to label people, activities, or trajectories. I build on his work by turning the question of illegality into an empirical question. To classify migration brokers in terms of their respective legality or illegality expresses a belief about the reach of the law within emigration contexts. Instead, what is needed are empirical studies of the place of the law within the policing of borders.

BIBLIOGRAPHY

- Alpes, M. J. (forthcoming). Migration brokerage, deception and the limits of the law. Oxford: IMI Working Paper.
- Alpes, M. J., 2011. *Bushfalling: How young Cameroonians dare to migrate*. Amsterdam: University of Amsterdam.
- Anderson, B., 2007. Motherhood, apple pie and slavery: Reflections on trafficking debates. *COMPAS working paper*, WP-07-48, 1-20. Oxford: COMPAS.
- Andrijasevic, R., 2010. *Migration, agency and citizenship in sex trafficking*. Hampshire: Palgrave.
- Bakewell, O., 2007. The meaning and use of identity papers: Handheld and heartfelt nationality in the borderlands of North-West Zambia. *IMI Working Paper*, 5: 1-22, Oxford: IMI.
- Bayart, J. F., 1979. *L'Etat au Cameroun*. Paris: Presses de la Fondation Nationale des Sciences Politiques.
- Bayart, J. F., 2009. *The state in Africa: The politics of the belly*. New York/London: John Wiley and Sons Ltd.
- Bayart, J. F., Ellis, S., and Hibou, B., 1999. *The criminalization of the state in Africa*. Oxford: James Currey.
- Blundo, G., 2006. Dealing with the local state: The informal privatization of street-level bureaucracies in Senegal. *Development and Change* 37(4): 799–819.
- Carling, J., 2002. Migration in the age of involuntary immobility: Theoretical reflections and Cape Verdean experiences. *Journal of Ethnic and Migration Studies* 28 (1): 5-42.
- Chalfin, B., 2010. *Neoliberal frontiers: An ethnography of sovereignty in West Africa*. Chicago and London: University of Chicago Press.
- Chauvin, S., and Garces-Mascarenas, B., 2012. Beyond informal citizenship: The New moral economy of migrant illegality. *International Political Sociology* 6: 241-259.
- Daloz, J.-P., 2002. 'Big men' in Sub-Saharan Africa: How elites accumulate positions and resources. *Comparative Sociology* 2 (1): 271-285.
- De Genova, N., 2002. Migrant 'illegality' and deportability in everyday life. *Annual Review of Anthropology* 31: 419-437.
- Ditmore, M., 2005. Trafficking in lives: How ideology shapes policy, in Kempadoo, K. (Ed.). *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights*. Boulder, CO: Paradigm Publishers.
- Ditmore, M., and Wijers, M., 2003. The negotiations on the UN Protocol on trafficking in persons. *Nemesis* 4: 79-88.
- Ferguson, J., 2006. *Global shadows: Africa in the neoliberal world order*. Durham, NC: Duke University Press.
- Fleury-Steiner, B., and Nielsen, L. B., 2006. Introduction: A constitutive perspective of rights, in Fleury-Steiner, B., and Nielsen, L. B. (Eds.) *The new civil rights research: A constitutive approach*. Burlington: Ashgate.
- Gallagher, A., 2002. Trafficking, smuggling and human rights: Tricks and treaties. *Forced Migration Review* 12: 25-28.
- Gammeltoft-Hansen, T., and Nyberg Sørensen, N., 2012. *The Migration industry and the commercialization of international migration*. New York/London: Routledge.

- Gupta, A., 2006. Blurred boundaries: The discourse of corruption, the culture of politics, and the imagined state, in Sharma, A., and Gupta, A. (Eds.) *The anthropology of state: A reader*. Oxford: Wiley-Blackwell.
- Hibou, B., 1999. The 'social capital' of the state as an agent of deception or the ruses of economic intelligence, in Bayart, J. F., Ellis, S., and Hibou, B. (Eds.). *The criminalisation of the state in Africa*. Oxford: James Currey.
- Hornberger, J., 2009. Translating human rights: A police-migrant encounter in Johannesburg, in Jensen, S., and Jefferson, A. (Eds.) *State violence and legal practices: Contested authority in transitional societies*. New York/London: Routledge.
- Kapur, R., 2005. Cross-border movements and the law: Renegotiating the boundaries of difference', in Kempadoo, K. (ed.) *Trafficking and prostitution reconsidered: New perspectives on migration, sex work, and human rights*. London: Paradigm Publishers.
- Kohlhagen, D., 2006. 'Illegale' Migration und Rechtskultur : Beobachtungen aus einer Feldforschung unter Afrikanern in Deutschland. *Zeitschrift fuer Rechtssoziologie* 27 (2): 239-250.
- Kyle, D., and Siracusa, C. A., 2005. Seeing the state like a migrant: Why so many con-criminals break immigration laws, in Van Schendel, W., and Abraham, I. (Eds.) *Illicit flows and criminal things*. Bloomington: Indiana University Press.
- Lindquist, J., Xiang, B., and Yeoh, B. S. A., 2012. Opening the black box of migration: Brokers, the organization of transnational mobility and the changing political economy in Asia. *Pacific Affairs*, 85 (1): 7-19
- Lucht, H., 2012. Pusher stories: Ghanaian connection men and the expansion of the EU's border regimes into Africa, in Gammeltoft-Hansen, T., and Nyberg Sørensen, N., 2012. *The migration industry and the commercialization of international migration*. New York/London: Routledge.
- Lund, C., (Ed.) 2007. *Twilight institutions: Public authority and local politics in Africa*. Oxford: Wiley-Blackwell.
- Malkki, L. H., 1995. Refugees and exile: From 'refugee studies' to the national order of things. *Annual Review of Anthropology* 24: 495-523.
- McKeown, A., 2012. How the box became black: Brokers and the creation of the free migrant. *Pacific Affairs*, 85 (1): 21-46.
- Mitchell, T., 2006. Society, economy, and the state effect, in Sharma, A., and Gupta, A. (Eds.) *The anthropology of state: A reader*. Oxford: Wiley-Blackwell.
- Navaro-Yashin, Y., 2007. Make-believe papers, legal forms and the counterfeit: Affective interactions between documents and people in Britain and Cyprus. *Anthropological Theory* 7 (79): 79-98.
- Roitman, J., 2004. Productivity in the margins: The reconstitution of state power in the Chad basin', in Das, V., and Poole, D. (Eds.) *Anthropology in the margins of the state*. Santa Fe: School of American Research Press.
- Roitman, J., 2005. *Fiscal disobedience: An anthropology of economic regulation*. Princeton/Oxford: Princeton University Press.
- Scott, J. C., 1998. *Seeing like a state: How certain schemes to improve the human condition have failed*. New Haven/London: Yale University Press.
- Silbey, S., 2005. After legal consciousness. *Annual Review of Law Society* 1: 323-368.
- Smith, D. J., 2007. *Culture of corruption: Everyday deception and popular discontent in Nigeria*. Princeton: Princeton University Press.

- Spener, D., 2009. *Clandestine crossings: Migrants and coyotes on the Texas-Mexico border*. Ithaca/London: Cornell University.
- Torpey, J., 2002. Coming and going: On the state monopolization of the legitimate 'means of movement'. *Sociological Theory* 16 (3): 239-259.
- Triandafyllidou, A. and Maroukis, T. (2012), *Migrant smuggling: Irregular migration from Asia and Africa to Europe*, Migration, Minorities and Citizenship Series, Basingstoke: Palgrave Macmillan.
- Van den Anker, C., and Doomernik, J., 2006. *Trafficking and women's rights*. Hampshire: Palgrave Macmillan.
- Van Liempt, I., 2006. Trafficking in human beings: Conceptual dilemmas, in van den Anker, C., and Doomernik, J. (Eds.) *Trafficking and women's rights*. Hampshire: Palgrave.
- Van Liempt, I., 2007. *Navigating borders. An inside perspective into the process of human smuggling*. Amsterdam: AUP, IMISCOE Dissertations.
- Van Schendel, W., and I. Abraham., 2005. Introduction: The making of illicitness, in Van Schendel, W., and Abraham I. (Eds.) *Illicit flows and criminal things*, Bloomington/Indianapolis: Indiana University Press.
- Wimmer, A., and Glick Schiller, N., 2002. Methodological nationalism and beyond: Nation-state building, migration and the social sciences. *Global Networks* 2 (4): 301-334.
- Wong, D., 2005. The rumor of trafficking: Border controls, illegal migration, and the sovereignty of the nation-state, in Van Schendel W., and Abraham I. (Eds.) *Illicit flows and criminal things*, Bloomington/Indianapolis: Indiana University Press.